

Zawitoski, John

From: Plummer, David C.
Sent: Monday, June 17, 2013 7:40 PM
To: Navarro, Nancy; Rice, Craig; Floreen, Nancy; Leventhal, George; Andrews, Phil; Riemer, Hans; Elrich, Marc; Berliner, Roger; Ervin, Valerie
Cc: Zyontz, Jeffrey
Subject: Bill 13-13 and ZTA 13-03 Impervious Area - Calculation

Good Evening Montgomery County Council Members,

I am submitting this e-mail on behalf of the Montgomery Soil Conservation District (MSCD) Board of Supervisors, and would like it to be included in the packet for this bill if possible. The MSCD Board of Supervisors discussed Bill 13-13 and ZTA 13-03 Impervious Area – Calculation at our Board meeting last Friday, and unanimously agreed to support both pieces of legislation. We appreciate this proposal by Council Member Craig Rice to provide opportunities for using permeable pavement as a substitute for impervious surfaces. The MSCD Board of Supervisors also supports Council Member Rice’s recommendation to provide an incentive for the use of permeable pavement.

Permeable pavement has soil conservation and water quality benefits for both urban and rural areas of the County.

The MSCD Board of Supervisors does believe that the legislation would be improved by including a broader definition of permeable “surfaces”. While the definition for impermeable surfaces seems extensive and all encompassing, it appears that the definition of permeable pavement is quite limited. Limited in fact to “concrete or asphalt”, while impermeable surfaces basically includes everything from compacted gravel to swimming pools and artificial turf. The concern here is that limiting the scope of this legislation to only permeable pavement as it is narrowly defined, may not provide flexibility for technologies that are already available or are being developed to help address the water quality problems associated with impervious surfaces.

As an example, consider the definition for “*Impervious area or impervious surface*: **Any surface** that prevents or significantly impedes the infiltration of water into the underlying soil, including ...” How about expanding the definition of permeable surface to include **any** surface that **allows** infiltration of water into the underlying soil? Shouldn’t the definition of *permeable surfaces* be expanded at least to include pavers, composite material, un-compacted gravel, and other materials designed to allow water to percolate into the soil. Limiting this bill to only concrete and asphalt may undermine many new materials and concept designs that could have even more benefits and applications than permeable pavement. Please consider making the definition of “permeable surfaces” commensurate with the broad definition of “impermeable surfaces”.

The MSCD Board of Supervisors appreciates the opportunity to provide comments on Bill 13-13 and ZTA 13-03 Impervious Area – Calculation, and we respectfully request that our input be included as part of the public record.

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